

APPENDIX

**COPY OF PROPOSED AMENDMENT SUBMITTED
FOR DISCUSSION PURPOSES ON APRIL 4, 2005 PRIOR TO
THE APRIL 5, 2005 TELEPHONE INTERVIEW**

***** PROPOSED AMENDMENT*****
***** SUBMITTED FOR DISCUSSION PURPOSES ONLY*****
*****NOT TO BE ENTERED AS A FORMAL AMENDMENT*****

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

MAY 04 2005

Attorney Docket No.: **Verizon-25 (01-1513)**

Appl. No.: **10/081,310**

Applicant: **Barry Paul PERSHAN**

Filed: **February 22, 2002**

Title: **METHODS AND APPARATUS FOR CONNECTING FAMILY MEMBERS**

TC/A.U.: **2684**

Examiner: **Shaima Q. Aminzay**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

In response to the Office Action dated June 23, 2004, which set a period for response to expire on September 23, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 10 of this paper.

***** PROPOSED AMENDMENT********** SUBMITTED FOR DISCUSSION PURPOSES ONLY**********NOT TO BE ENTERED AS A FORMAL AMENDMENT*****

This listing of claims will replace all prior versions, and listings, of claims in the application:

1 Claim 1 (original): A communications method, comprising:
2 detecting when a call to a telephone number goes unanswered;
3 determining if the unanswered call is from a member of a group
4 identified in a stored set of information associated with the called telephone number;
5 and
6 when it is determined that the calling party is a member of the group
7 identified in said stored set of information:
8 presenting the calling party with a list of other members
9 of said group who have provided telephone numbers for contact
10 purposes;
11 receiving information from the calling party identifying
12 one or more members of the group who are to be included in a
13 conference call; and
14 initiating a conference call to any group members
15 identified by the received information.

1 Claim 2 (original): The method of claim 1, wherein the step of initiating a conference
2 call includes placing calls to at least two group members using telephone numbers
3 corresponding to said two group members obtained from said stored set of
4 information.

1 Claim 3 (original): The method of claim 2, further comprising:
2 connecting said unanswered call to a telephone switch peripheral
3 device when it is determined that the unanswered call is from a member of the group
4 identified in the stored set of information; and
5 wherein the step of presenting the calling party with a list of other
6 members of said group includes operating said peripheral device to play a

**RECEIVED
CENTRAL FAX CENTER****MAY 04 2005******* PROPOSED AMENDMENT********** SUBMITTED FOR DISCUSSION PURPOSES ONLY**********NOT TO BE ENTERED AS A FORMAL AMENDMENT*****

7 message to said calling party including the names of other members of said
8 group who have provided telephone numbers.

1 Claim 4 (original): The method of claim 3, further comprising the step of playing
2 messages from multiple members of said group to the calling party prior to initiating
3 said conference call.

1 Claim 5 (original): The method of claim 4,
2 wherein said step of initiating a conference call includes operating said
3 peripheral device to initiate calls to any group member identified by the
4 received information.

1 Claim 6 (original): The method of claim 5, further comprising:
2 detecting when a call initiated to a group member identified by the
3 received information is answered; and
4 bridging the answered call with the call from the calling party.

1 Claim 7 (original): The method of claim 2, wherein the step of determining if the
2 unanswered call is from a member of a group identified in said stored set of
3 information associated with the called telephone number includes:
4 comparing a calling party telephone number obtained using automatic
5 number identification information to a list of telephone numbers corresponding to the
6 members of said group.

1 Claim 8 (original): The method of claim 2,
2 wherein the step of detecting when a call to a telephone number
3 goes unanswered includes operating a telephone switch to provide call termination
4 information to a service control point; and

***** PROPOSED AMENDMENT********** SUBMITTED FOR DISCUSSION PURPOSES ONLY**********NOT TO BE ENTERED AS A FORMAL AMENDMENT*****

5 wherein the step of determining if the unanswered call is from a
6 member of a group identified in said stored set of information associated with the
7 called telephone number includes:
8 operating the service control point to compare a number obtained from
9 the calling party to a list of identification numbers corresponding to the members of
10 said group.

1 Claim 9 (original): The method of claim 1, further comprising the step of:
2 maintaining said set of stored information in a location accessible to a
3 telephone switch peripheral device;
4 operating said telephone switch peripheral device to receive
5 information updating said stored information;
6 generating an E-mail message including at least some of the received
7 information used to update said stored information; and
8 transmitting the generated E-mail message to at least one member of
9 said group.

1 Claim 10 (original): The method of claim 9,
2 wherein said step of operating said telephone switch peripheral device
3 to receive information includes operating said telephone switch peripheral device to
4 receive a call from a member of said group.

1 Claim 11 (original): The method of claim 10,
2 wherein said received information includes a spoken message; and
3 wherein the step of generating an E-mail message includes:
4 i) performing a speech recognition operation on the spoken message;
5 and

***** PROPOSED AMENDMENT********** SUBMITTED FOR DISCUSSION PURPOSES ONLY**********NOT TO BE ENTERED AS A FORMAL AMENDMENT*****

- 6 ii) incorporating at least some text generated by said speech
7 recognition operation into said E-mail message.

1 Claim 12 (original): The method of claim 9,
2 wherein said step of operating said telephone switch peripheral device
3 to receive information includes operating said telephone switch to receive an
4 emergency contact telephone number corresponding to a member of said group via
5 the Internet.

1 Claim 13 (original): The method of claim 12, wherein the step of generating an E-
2 mail message includes:
3 incorporating the received emergency contact telephone number into
4 said E-mail message.

1 Claim 14 (currently amended): A communications system, comprising:
2 a telephone switch for receiving calls directed to a subscriber
3 telephone number;
4 a peripheral device coupled to said switch including:
5 i. circuitry for accessing a set of information corresponding to
6 the subscriber telephone number, the set of information including a list
7 of telephone numbers corresponding to a group of individuals
8 associated with said subscriber telephone number;
9 ii. circuitry for playing a message to a calling party who made
10 an unanswered call to the subscriber telephone number, the message
11 including the names of the group members who have included contact
12 telephone numbers in said set of information;
13 iii. call conferencing circuitry coupled to said telephone switch
14 for placing calls to members of said group selected by the calling party

***** PROPOSED AMENDMENT********** SUBMITTED FOR DISCUSSION PURPOSES ONLY**********NOT TO BE ENTERED AS A FORMAL AMENDMENT*****

15 and for bridging said calls to the call placed by the calling party to the
16 subscriber telephone number when said calls are answered; and
17 a service control point coupled to said telephone switch including
18 control logic for instructing said switch to connect an unanswered call directed to said
19 subscriber telephone number to said peripheral device in response to receiving call
20 completion status information indicating that the call has gone unanswered.

1 Claim 15 (original): The system of claim 14, further comprising:
2 means for allowing a member of said group to update an emergency
3 contact telephone number via the Internet; and
4 means for generating an E-mail message notifying at least one member
5 of the group when an emergency contact telephone number is updated.

1 Claim 16 (original): The system of claim 14, wherein the peripheral device further
2 comprises:
3 means for receiving a call from a member of said group seeking to
4 update an emergency contact telephone number stored in said set of information; and
5 means for generating an E-mail message notifying at least one member
6 of the group when an emergency contact telephone number is updated by a received
7 telephone call.

1 Claim 17 (original): The system of claim 14,
2 wherein said set of information is stored in said peripheral device; and
3 wherein a duplicate copy of at least some information in said set of
4 information is stored in the service control point.

1 Claim 18 (currently amended): A communications method comprising:

***** PROPOSED AMENDMENT********** SUBMITTED FOR DISCUSSION PURPOSES ONLY**********NOT TO BE ENTERED AS A FORMAL AMENDMENT*****

2 storing a set of information including a list of members of a group
3 associated with a telephone number who may be contacted when a call to said
4 telephone number goes unanswered, the set of information including for each group
5 member who may be contacted, a contact telephone number;
6 detecting, based on the failure to receive an answer to the call, when a
7 call to the telephone number associated with said group goes unanswered;
8 presenting the calling party placing the unanswered call with a list of
9 group members who have contact telephone numbers stored in said set of
10 information;
11 receiving information from the calling party indicating the group
12 member or members who the calling party would like to contact; and
13 initiating a conference call using at least one contact telephone number
14 obtained from the set of stored information corresponding to a group member
15 indicated by the received information.

1 Claim 19 (original): The method of claim 18, further comprising the step of:
2 providing the calling party with stored messages corresponding to at
3 least some of group members who have contact telephone numbers stored in said set
4 of information.

1 Claim 20 (original): The method of claim 18, wherein the step of initiating a
2 conference call includes the steps of:
3 placing separate calls to at least two members of said group using
4 contact telephone numbers obtained from the set of stored information;
5 detecting when a placed call is answered; and
6 bridging each answered placed call with the call from the calling party
7 to establish a conference call.

***** PROPOSED AMENDMENT********** SUBMITTED FOR DISCUSSION PURPOSES ONLY**********NOT TO BE ENTERED AS A FORMAL AMENDMENT*****

1 Claim 21 (currently amended): A digital storage medium, comprising:
2 a first set of stored information for providing a communications
3 service, the set of stored information including:
4 i) call process instructions responsive to ~~an indication a call~~
5 completion status indicator signal indicating ~~of a non-answered call status,~~
6 ii) a primary telephone number associated with a first
7 communications service subscriber;
8 iii) a list of group members associated with said primary
9 telephone number, and
10 iv) for each of a plurality of members in said list:
11 a) a telephone number from which the group
12 member may call said primary telephone; and
13 b) a telephone number which can
14 be used to contact said group member.

1 Claim 22 (original): The digital storage medium of claim 21, wherein the first set of
2 stored information further comprises, for each of said plurality of members in said
3 list:
4 an E-mail address associated with the group member.

1 Claim 23 (original): The digital storage medium of claim 22, wherein the first set of
2 stored information further comprises, for each of said plurality of members in said
3 list:
4 a message provided by said group member.

1 Claim 24 (original): The digital storage medium of claim 22, wherein the first set of
2 stored information further comprises, for each of said plurality of members in said
3 list:

*** PROPOSED AMENDMENT***

*** SUBMITTED FOR DISCUSSION PURPOSES ONLY***

NOT TO BE ENTERED AS A FORMAL AMENDMENT

4 an E-mail notification indicator used to indicate if said group member
5 wants E-mail notification when a change is made to one or more pieces of
6 information included in said first set of stored information.

1 Claim 25 (original): The digital storage medium of claim 24,
2 wherein the first set of stored information further comprises, for each
3 of said plurality of members in said list:
4 a personal identification number.

1 Claim 26 (original): The digital storage medium of claim 23, further comprising:
2 a second set of stored information for providing a
3 communications service, the second set of stored information including:
4 i) a second primary telephone number associated with a second
5 communications service subscriber; and
6 ii) a second list of group members associated with said primary
7 telephone number,
8 iii) for each of a plurality of members in said second list:
9 a) a telephone number from which the group
10 member may call said second primary telephone; and
11 b) a second telephone number which can be
12 used to contact said group member.

*** PROPOSED AMENDMENT***
*** SUBMITTED FOR DISCUSSION PURPOSES ONLY***
NOT TO BE ENTERED AS A FORMAL AMENDMENT
REMARKS/ARGUMENTS

This amendment is respectfully submitted in response to the Final Office Action dated Feb. 27, 2005.

I. Introduction

Claims 14, 18, and 21 have been amended. Accordingly, claims 1-26 are now pending.

In the Office Action the Examiner rejected claims 1-26 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0125072 A1 to Dent (hereinafter "the Dent publication"), in view of U.S. Patent No. 6,535,730 B1 to Chow et al., (hereinafter "the Chow et al. patent"). As will be discussed below, the applied references, when considered alone or in combination, do not anticipate or render obvious the claimed invention.

III. The Present Invention

In contrast to other systems, in some embodiments of the present invention, a **no answer condition** on a primary telephone number is used to **trigger** additional capabilities, such as allowing the caller to easily connect to other parties associated with the primary number. This could be useful, for instance, in allowing groups of individuals, such as family members, to communicate with one another even when no one is available to answer a primary telephone number, such as a family residence number, associated with the group. With this embodiment, a primary number can receive calls normally. Thus, a caller normally is not allowed to access other names associated with the primary number. However, when there is a no answer condition the system allows the caller to access other numbers associated with the primary number.

As a further departure from other systems, in another embodiment of the present invention, calling party information, such as the calling party's telephone

*** PROPOSED AMENDMENT***

*** SUBMITTED FOR DISCUSSION PURPOSES ONLY***

NOT TO BE ENTERED AS A FORMAL AMENDMENT

number or PIN is checked to determine if the calling party is a family member. If so, the calling family member is provided with an opportunity to initiate a conference call to all or some of the listed family members at their listed contact numbers. Callers who are not family members are not given the option of contacting other family members, and their calls are handled in the ordinary way (given a no answer condition) such as forwarding the call to a voice messaging system.

IV. The Dent Publication and the Chow et al. Patent Fail to Teach, Disclose, or Suggest the Claimed Subject Matter

The Examiner states that "Dent does not specifically disclose when call to a telephone number goes unanswered." Applicant agrees with Examiner that this limitation of the present invention is not taught by the Dent publication. The Examiner goes on to say that the Chow et al. patent "teaches to detect when a call to a telephone number goes unanswered (see for example, column 47, lines 45-48)." (Office Action page 3, bold added for emphasis)

1. The Applied References, Alone or In Combination Do Not Teach, Disclose or Suggest The Subject Matter of Claim 1

Independent claim 1 recites as an element:

determining if the unanswered call is from a member of a group identified in a stored set of information associated with the called telephone number;

This feature of claim 1 is not taught, disclosed or suggested by the applied references. Neither of the applied references discloses checking, e.g., based on the calling party number, to determine if an unanswered call is from "a member of a group identified in a stored set of information associated with the called telephone number." Accordingly, claim 1 and the claims which depend therefrom should be patentable over the applied references.

*** PROPOSED AMENDMENT***

*** SUBMITTED FOR DISCUSSION PURPOSES ONLY***

NOT TO BE ENTERED AS A FORMAL AMENDMENT

If the Examiner persists in the rejection it is requested that the Examiner identify in the references what corresponds to the recited "stored set of information associated with the called telephone number" where the determination step is described in the applied references.

**2. As Amended, The Combination of Applied References
Does not Teach Disclose or Suggest The Subject Matter of
Any of the Remaining Claims**

Applicant persists in its position that one of ordinary skill in the art would not be motivated to combine the references and that if combined they would not result in the claimed subject matter. However, Applicant has taken the Examiner's response to the previous arguments into consideration and is proposing to amended various independent claims to further clarify and address the Examiner's position further.

In the reply to arguments the Examiner states:

The applicant further argues (middle to end of page 12) that Chow fails to teach the "no answer condition". Examiner respectfully disagrees. As discussed in the rejection above, Chow discloses taking an action on detecting a no answered call. ...

The lines cited by the Examiner at col. 47, lines 45-48 in the Chow et al. patent state:

"...a mobile station user can in real time forward an unanswered incoming call to another DN or extension by entering a function code..."

The Chow et al. describes a process by which the called party can dispose of an incoming call **without answering it**, by first ascertaining information about the caller **in real time and providing call handling signals which are then used to control call disposition**. (See, col. 47-48) However, controlling call disposition based on a signal from the called party is different from controlling call disposition upon detecting that the call is unanswered.

*** PROPOSED AMENDMENT***

*** SUBMITTED FOR DISCUSSION PURPOSES ONLY***

NOT TO BE ENTERED AS A FORMAL AMENDMENT

The operations which the Examiner relies upon in the Chow et al. patent are not in response to call completion status information indicating that the call has gone unanswered. In the Chow et al. patent there is a choice made by a called party to forward particular calls in real time. This in no way teaches, discloses, or suggests Applicant's detection of a no answer condition, followed by allowing a caller to contact members of a group associated with the called number if a no answer condition is detected.

To further clarify the above noted distinction over the Chow patent, Applicant is proposing to amend claim 14 to recite:

A communications system, comprising:

a telephone switch for receiving calls directed to a subscriber telephone number;

a peripheral device coupled to said switch including:

i. circuitry for accessing a set of information corresponding to the subscriber telephone number, the set of information including a list of telephone numbers corresponding to a group of individuals associated with said subscriber telephone number;

ii. circuitry for playing a message to a calling party who made an unanswered call to the subscriber telephone number, the message including the names of the group members who have included contact telephone numbers in said set of information;

iii. call conferencing circuitry coupled to said telephone switch for placing calls to members of said group selected by the calling party and for bridging said calls to the call placed by the calling party to the subscriber telephone number when said calls are answered; and

a service control point coupled to said telephone switch including control logic for instructing said switch to connect an unanswered call directed to said subscriber telephone number to said peripheral device in response to receiving call completion status information indicating that the call has gone unanswered.

The "extension code" entered by the called party mentioned in the portion of the Chow reference that is used to control call disposition is clearly not "call completion status information indicating that the call has gone unanswered".

*** PROPOSED AMENDMENT***

*** SUBMITTED FOR DISCUSSION PURPOSES ONLY***

NOT TO BE ENTERED AS A FORMAL AMENDMENT

Accordingly, claim 14 is clearly patentable over the combination of applied references.

3. There is no reason to combine the two references.

For purposes of further review by the Examiner, Applicant again asserts that there is no reason to combine the references as proposed by the Examiner.

The Dent publication discloses associating a common number to a group of two or more mobile terminals, such that “when a call directed to the common number is received, the caller may be prompted to select an option for contacting group members, such as calling a specific group member, the first to answer, or all group members” (Abstract – emphasis added). Regardless of whether a caller intends to reach a particular party, the first available party, or conference all available parties, there would be no reason to consider invoking a procedure in the case of a **no answer** condition. If there is a no answer condition under any of the above scenarios, the purpose of the Dent invention has failed, and no other action is suggested or contemplated.

Further, in Applicant’s invention, the other group members are contacted upon encountering the no answer condition. Therefore, even if there was a reason to consider applying further procedures in the Dent publication upon encountering a no answer condition, such procedures would clearly not include trying to contact individual members of the group, as in the present invention, as that procedure would have already been tried and would have failed by the time the no answer condition was encountered. Consequently, there would be no reason to apply further procedures in the Dent publication upon encountering a no answer condition, and even if such procedures were applied, they would not result in anything like Applicant’s invention.